IN THE CLAIMS:

Please amend claims 1-27 as follows.

1. (Currently Amended)   A scheduling device for scheduling data transmission over a plurality of channels in a data network, said device comprising:

a) a monitoring ~~means (204) for monitoring~~ unit configured to monitor a predetermined parameter indicating a channel capacity in a received data stream of at least one of said plurality of channels; and

b) a scheduling ~~means (202) for determining~~ unit configured to determine a request for change of ~~the~~ a maximum channel capacity allocated to said at least one of said plurality of channels, if ~~the~~ a value of said monitored predetermined parameter falls outside a predetermined allowed range.

2. (Original)   A device according to claim 1, wherein said maximum channel capacity corresponds to a maximum allowed data rate.

3. (Original)   A device according to claim 2, wherein said maximum allowed data rate is set by a maximum transport format combination.

4. (Currently Amended)   A device according to claim 1 ~~any one of the preceding claims~~, wherein said monitoring unit ~~means~~ is configured to derive said value of said predetermined parameter by decoding a transport format combination indication information provided in said received data stream.

5. (Currently Amended)   A device according to unit ~~any one of the preceding claims~~, wherein said scheduling ~~means (202)~~ unit is configured to check ~~the~~ available resources and to reject said determined request in response to the checking result.

6. (Currently Amended)   A device according to claim 1 ~~any one of the preceding claims~~, wherein said scheduling unit ~~means (202)~~ is configured to check ~~the~~ available resources and to increase said maximum channel capacity to a value smaller than said value of said monitored predetermined parameter in response to the checking result, if said request has been determined.

7. (Currently Amended)   A device according to claim 1 ~~any one of the preceding claims~~, wherein said scheduling unit ~~means (202)~~ is configured to check ~~the~~ available resources and to increase said maximum channel capacity to said value of said monitored predetermined parameter in response to the checking result, if said request has been determined.

8. (Currently Amended)   A device according to claim 5 ~~or 6~~, wherein said scheduling unit ~~means (202)~~ is configured to repeat said checking at a predetermined timing.

9. (Currently Amended)   A device according <u>claim 1</u> <s>to any one of the preceding claims</s>, wherein said plurality of channels are dedicated uplink channels of a radio access network.

10. (Currently Amended)   A device according to <u>claim 1</u> <s>any one of the preceding claims</s>, wherein said scheduling <u>unit comprises</u> <s>device (202) is</s> a base station device.

11. (Currently Amended)   A terminal device for transmitting data via at least one data channel to a data network, said terminal device <s>(10)</s> being configured to set a predetermined parameter indicating a channel capacity to a value outside a predetermined allowed range, in order to request a change of the maximum channel capacity.

12. (Original)   A terminal device according to claim 11, wherein said value is selected from a predetermined temporary range comprising values higher than said allowed range.

13. (Currently Amended)   A terminal device according to claim 12, wherein the use of said<s>,</s> value of said temporary range is restricted to a predetermined time period.

14. (Original)   A terminal device according to claim 13, wherein said use of said value of said temporary range can be repeated at a predetermined timing.

15. (Currently Amended)   A terminal device according to ~~any one of~~ claims 12 to 14, wherein said temporary range comprises at least one value.

16. (Currently Amended)   A terminal device according to ~~any one of~~ claims 11 to ~~15~~, wherein said predetermined parameter indicates a transport format combination.

17. (Currently Amended)   A terminal device according to ~~any one of~~ claims 11 to ~~16~~, wherein~~,~~ said terminal device is a cellular terminal device.

18. (CurrentlyAmended)   A scheduling method of scheduling data transmission over a plurality of channels in a data network, said method comprising ~~the steps of~~:

a) monitoring a predetermined parameter indicating a channel capacity in a received data stream of at least one of said plurality of channels; and

b) determining a request for change of the maximum channel capacity allocated to said at least one of said plurality of channels, if ~~the~~ a value of said monitored predetermined parameter falls outside a predetermined allowed range.

19. (Original)   A method according to claim 18, wherein said maximum channel capacity corresponds to a maximum allowed data rate.

20. (Currently Amended) A method according to claim 19, further comprising the step of setting said maximum allowed data rate by a maximum allowed transport format combination.

21. (Currently Amended) A method according to claim 20, wherein said monitoring step comprises the step of deriving said value of said predetermined parameter by decoding a transport format combination indication information provided in said received data stream.

22. (Currently Amended) A method according to any one of claims 18 to 21, further comprising the steps of checking available resources and rejecting said determined request in response to the result of said checking step.

23. (Currently Amended) A method according to any one of claims 18 to 22, further comprising the steps of checking the available resources and increasing said

maximum channel capacity to a value smaller than said value of said monitored

predetermined parameter in response to the result of said checking step, if said request

has been determined.

24. (Currently Amended) A method according to ~~any one of~~ claims 18 ~~to 23~~,

further comprising ~~the steps of~~ checking the available resources and increasing said

maximum channel capacity to said value of said monitored predetermined parameter in

response to the result of said checking step, if said request has been determined.

25. (Currently Amended) A method according to claim 22 ~~or 23~~, further

comprising ~~the step of~~ repeating said checking at a predetermined timing.

26. (Currently Amended) A system for scheduling data transmission over a

plurality of channels in a data network, said system comprising: ~~a terminal device as~~

~~claimed in any one of claims 11 to 17 and a scheduling device as claimed in any one of~~

~~claims 1 to 10.~~

a terminal device for transmitting data via at least one data channel to a data

network, said terminal device being configured to set a predetermined parameter

indicating a channel capacity to a value outside a predetermined allowed range, in order

to request a change of the maximum channel capacity; and

a scheduling device for scheduling data transmission over a plurality of channels in the data network, a scheduling device including a monitoring unit configured to monitor the predetermined parameter in a received data stream of the at least one data channel, and a scheduling unit configured to determine a request for change of the maximum channel capacity, if a value of the monitored predetermined parameter falls outside a predetermined allowed range.

27. (New) A scheduling device for scheduling data transmission over a plurality of channels in a data network, said scheduling device comprising:

monitoring means for monitoring a predetermined parameter indicating a channel capacity in a received data stream of at least one of the plurality of channels; and

scheduling means for determining a request for change of a maximum channel capacity allocated to the at least one of the plurality of channels, if a value of the monitored parameter falls outside of a predetermined allowed range.